

OLC RECORD COPY

5 May 1978

OLC #78-1913

25X1 TO: [redacted]
Central Intelligence Agency
Old Executive Office Building
25X1 Phone: [redacted]

SEC

25X1 FROM: [redacted]
Office of Legislative Counsel
Central Intelligence Agency

25X1 [redacted]

25X1 [redacted]

25X1 As I mentioned to you, the Senate Ethics Committee is investigating the [redacted] leaks at the request of Senators Inouye and Goldwater. In the course of the investigation they have asked for all documentation relative to requests of the SSCI for information on [redacted] and the responses thereto. 25X1

Attached are two Memos for the Record of meetings between Admiral Turner and Chairman Inouye. Also attached is a letter from Admiral Turner to Chairman Inouye.

To be fully responsive to the Committee's request, these documents should be included in our response.

25X1 If Admiral Turner has no objection, we plan to include the above documents with everything taken out except those portions relevant to the [redacted] inquiry. Attached are sanitized versions of the above documents which we will show to Committee staff. I will appreciate your concurrence ASAP. The Committee staff will be reviewing the material beginning at 10:00 a.m. this morning.

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entire package
filed SEC

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OLC #77-4130

26 September 1977

25X

Para 2 SSCI

77-0392/45

MEMORANDUM FOR THE RECORD

SUBJECT: DCI Briefing of Chairman Daniel K. Inouye, Senate
Select Committee on Intelligence - 22 September 1977

25X1 1. [] the Director met with Chairman
Daniel K. Inouye (D, Hawaii), to brief him on various subjects.
Also present were Senators Barry Goldwater (R., Ariz.) and
25X1 Birch Bayh (D., Ind.), Bill Miller, Staff Director, Earl
Eisenhower, Minority Staff Director, []
EA/DCI, [] DDI/CSS, and [] Assistant
Legislative Counsel. The meeting room was changed from S-407
to S-140, The Capitol, at the last minute since a Mr. Phillips,
from CBS, had gotten wind of the meeting and Chairman Inouye
wanted to avoid the media. Chairman Inouye said he was looking
into just how CBS could have stumbled onto the meeting.

25X1
25X1

25X1 2. [] The subject of [] was dis-
cussed and the Chairman stated that as far as the Committee
was concerned, the matter was now closed and suggested that
the DCI take the initiative to brief Senators John C. Stennis
(D., Miss.) and John J. Sparkman (D., Ala.) on the matter.

25X1

25X1 3. [] The next matter considered was the reporting
25X1 that []

[] Chairman Inouye stated that one of his first
directives after becoming Chairman was that the Agency should
report to him any such matters, and mentioned that he greatly
appreciated the briefing he had been given on the subject.
The DCI added that there had been no official connection be-
tween [] and the CIA.

25X1

25X1 4. [] The DCI then mentioned []

25X

[] He mentioned that the matter was now in the hands
of Chairman Edward P. Boland (D., Mass.), House Permanent
Select Committee on Intelligence.

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25X1 5. [] The DCI then briefed the Chairman on his plans to reorganize the Intelligence Community and indicated, by the use of charts, what the National Security Act of 1947 had intended, how the Community had evolved into something different, and how he now hoped to reorganize the Community. Chairman Inouye suggested that the matter be discussed at the next full Committee meeting with emphasis on how the new Executive Order and the reorganization plan will be logical steps to and in harmony with proposed charter legislation.

25X1 6. [] The DCI then briefed the Chairman on how the position cuts in the DDO were progressing. He also reported on his investigation of the DDO saying that the Directorate was being well run and working within its proper guidelines and stated that he would next begin a review of overseas Stations.

25X1 7. [] Chairman Inouye said that the Subcommittee investigating [] had completed its report which would now go to the full Committee and he did not expect any more investigation into the matter.

25X1 8. [] The DCI then briefed the Chairman on a sensitive matter with respect to [] 25X1

25X1 9. [] Chairman Inouye concluded the meeting by stating that the Committee had been in existence for one and one-half years and that Admiral Turner had been in command for six months and that during this time the Committee had been looking at and investigating the Agency. He said he felt it was time for the Committee to turn its efforts to other agencies now, but asked that the DCI have all members of the Intelligence Community look at the Senate Select Committee on Intelligence and the way it does its business and to critique it. He asked that no holds be barred and that all information, criticism, etc., be brought to his attention with suggestions for change, if possible. He said he wanted the Intelligence Community to take a hard look since he was concerned with running a thorough and detailed operation but did not want Community feelings to go unnoticed.

[]

25X1

Assistant Legislative Counsel

Distribution:

1 - DCI	Orig - OLC Subj
1 - Acting DDCI	1 - OLC/DFM
25X1 1 - []	1 - OLC Chrono
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25X1 OLC/[] (26 Sept 77)	

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OLC 77-3869
9 September 1977

SSCI
M.R. Brief

MEMORANDUM FOR THE RECORD

SUBJECT: DCI Meeting with Chairman Daniel K. Inouye
(D., Hawaii), Senate Select Committee on Intelligence

- 25X1 1. [] This afternoon the Director met with Chairman Daniel K. Inouye (D., Hawaii), in the Chairman's personal office, to discuss a number of matters of mutual interest prior to the Director's
- 25X1 departure [] tomorrow morning. Throughout the meeting the Chairman seemed preoccupied with several things which he desires to either accomplish or put into motion before he retires as Chairman of the Committee at the end of this session of Congress.
- 25X1 2. [] The Chairman started the meeting by referring to a previous conversation with the Director. He had raised the question of the Senate Select Committee's acting as a "conduit" in making intelligence information on current developments and topics available to other committees of the Senate and members of the Senate who might be interested in these subjects. He mentioned especially matters on which the Senate would be required to vote or make policy decisions on which there might be foreign intelligence inputs. Both the Director and the Chairman felt that this would be a useful function on the part of the Senate Select Committee and it was agreed that we would move to develop this kind of an arrangement.
- 25X1 3. [] Following the discussion about finished intelligence, the Chairman referred to the existing Subcommittees and why he had established them in the first instance. He said it was clear when the Committee was established that one of the burning concerns in the Senate and in the public mind was abuses of the rights of Americans which had taken place in past years and which had been the subject of the Church Committee investigations. With this in mind, he felt it was of particular importance to establish a Subcommittee on the Rights of Americans and he made a senior member of the Committee, Senator Birch Bayh (D., Ind.), Chairman of that Subcommittee. He also felt that there was a substantial question as to the quality of the intelligence product and therefore he established a Subcommittee on Collection, Production and Quality under Senator Adlai Stevenson (D., Ill.). It seemed desirable to have a smaller group in the Committee focus on

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intelligence appropriations and the Subcommittee on Budget Authorization was established under Senator William Hathaway (D., Maine). Because of the concern about the need to protect sensitive intelligence information while at the same time assuring that material was not overly classified, he established the Subcommittee on Secrecy and Disclosure under Senator Joseph Biden (D., Del.). In order to carry out the mandate given the Committee to review the statutory basis and need for charters for various intelligence agencies, the Subcommittee on Charters and Guidelines was established under Senator Walter Huddleston (D., Ky.). Further, with the increasing number of allegations about impropriety or illegality by elements of the Intelligence Community, he felt it necessary to set up an Investigations Subcommittee which he established under Senator Robert Morgan (D., S. Car.). He indicated that he was having further thoughts about the continued need for all of these Subcommittees and the possible need for establishing others and would like our thoughts on this subject. He mentioned specifically the realignment of the Subcommittee structure along the lines of the proposed intelligence reorganization, i.e., a subcommittee on collection, one for resources, etc. He said that some people might be critical of a large number of subcommittees, but he felt that one way to keep members of the Committee involved was to make them chairmen of a subcommittee within their particular area of interest in the Committee. In this regard he indicated that he proposed to give Senator Gary Hart (D., Colo.) the chairmanship of a subcommittee in the future.

25X1 4. [] In connection with the discussion of the work of the Investigations Subcommittee, the Chairman said that group had completed its
25X1 investigation of the [] and had prepared its report which
he was now in the process of reviewing. He said it was his inclination
to file the report without further public statement and he would recommend
this action to the full Committee. The Director said he would welcome
this decision, particularly in view of the importance of []
25X1 [] The Chairman said he could not assure
that this would be the result, but normally the Committee followed his
recommendations.

25X1 5. [] The Chairman then said that before the first week in October
(probably as soon as the Director returns) he wanted to schedule an
appearance by the Director before the full Committee. At that time
he wants the Director to state his views on the decisions recently
made by the President on the "reorganization of the Intelligence Community."
He wants the Director to discuss the Panama situation. He said he wanted
the Director to cover the reaction of the Panamanian people, the Panamanian
Government and the government of Latin American countries to the Treaty.
He also wants the Director to provide the Committee with a "history"
of the Canal (which he later described as a chronology of developments
as they have occurred over the years since the building of the Canal).

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He wants to know something about the Torrijos Government and an assessment of the problems we can anticipate in Panama, both with and without the Treaty. He specifically mentioned the possibility of violations under both of these circumstances. Finally, the Director should touch on the "defensibility" of the Canal against acts of subversion. He wants the Director to brief the Committee on China, covering the various leaders in China, the Chinese economy, the relationship of China to the USSR, the military situation and what China has by way of "Asian designs." The Chairman wants the Director to discuss the situation in Southeast Asia. He also specifically mentioned Korea. Finally, he wants a report to the Committee on what, if any, damage resulted from the Moscow fire. In this context, he equates damage to compromise of sensitive information.

25X1 6. [] The Chairman then moved to the subject of charters. He said he hoped that the President's signing of the Executive Order could be timed before Congress adjourns so that the Senate Select Committee can state that it had a role to play in the development of the Order. (He mentioned that the involvement of the Committee in drafting the Executive Order was considered a significant, if not unique, development in the minds of the Committee staff.) He said he was interested in being able to say that the Committee had played a part in the development of the Executive Order because this would make it easy for the Committee to call on the Administration to assist in the drafting of the legislative charters. He said he wants a smooth "evolution" from the Executive Order to the charters. In this connection he stated his personal view (which he said Bill Miller, Staff Director of the Committee, was familiar with) favoring a more general type of legislation rather than specific language which could unduly restrict activities beyond the realm of desirability.

25X1 7. [] In discussing the subject of reorganization, the Director stated his views about the statutory position of the Deputy Director. He said he wanted to abolish the single DDCI position which has been regarded as a deputy for CIA. He also dislikes the concept of a deputy for the Community. He wants to have the authority to establish four or five deputy director positions (the Director has stated that he desires to have a deputy for collection, one for production, one for resources and possibly several others). Bill Miller suggested that the Director merely handle this problem by leaving the statutory deputy position unfilled. The Director replied that he thought this would give a bad impression if it appeared that he was in any way attempting to thwart the normal appointment process through delaying tactics. He then brought up the idea of submission of a reorganization plan to take care of the DDCI and deputy problem and also to provide for the "DDI" merger. Chairman Inouye said he saw no great problem with the reorganization idea and Bill Miller said he assumed that these provisions would then be incorporated

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into Title I of the charter legislation. We all agreed and I commented that the submission of a reorganization plan would contribute to the cooperative atmosphere between the Committee and the Executive Branch that Chairman Inouye had described.

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8. [] The Chairman then raised a question about the way in which consumers were involved. The Director discussed this subject and the operation of the PRC. At this juncture the Chairman asked what he thought the reaction would be to including the Congress as one of the consumers. The Director responded that he thought it could be bad; that it would be considered a violation of separation of powers, etc., but there was no reason why information could not be shared within the framework that we had discussed on an informal basis. During this discussion the Chairman said that he was getting considerable reaction from former Directors and other officials who asserted that Admiral Turner was not satisfied with four stars and was out to get six. He said he had disabused these people of this notion and jokingly said that he told them he really wants seven. He went on to say, however, that he favored the idea of a strong DCI and had heard no opposition to the concept as he had discussed it with many of his colleagues. He said he felt in general that the Committee would accept the President's and the Director's views on the reorganization.

25X1

9. [] The Chairman then brought up a subject which he has spoken about a number of times, and it has to do with what he has termed "surveillance" of the Committee. He said he did not want to be paranoid about it, but he wanted a memorandum of agreement drawn up between the Committee and the Intelligence Community which would indicate that the Community would advise the Committee of any information which was developed or came to the attention of the Community that any member of the Senate Select Committee or its staff was a target of a foreign intelligence service. He said the existing informal arrangement is working well, but before he leaves as Chairman he wants to formalize this arrangement in some way. He mentioned the other side of the coin--that is legitimate contact with foreign nationals on behalf of the Committee. He mentioned that a short time ago, the FBI approached him to advise him of such an instance, and he said he had failed to inform the Bureau of this contact but wanted to be sure in the future that matters of this sort were properly handled so that a member or employee engaging in legitimate Committee business with foreign nationals would not have the fact of that contact noted in FBI or other files. He said perhaps this could be handled by appropriate references without giving the names of individuals. The Director said this was a tricky subject to handle (and is particularly so from the standpoint of some of the members of the Committee), but we would take a look at it and see what could be done.

25X1 10. [] The Chairman went on to say that he wants to include Senator Bayh in any meetings of this sort, along with the Vice Chairman, Senator Barry Goldwater (R., Ariz.). He noted that he wants Senator Bayh included to facilitate the transition to his Chairmanship. He again noted that he wanted to have such a meeting before the Director gives his next briefing of the full Committee.

25X1 11. [] Finally, the Chairman noted that he is planning to travel to the Middle East between 1 December and 19 December, and that Bill Miller would accompany him. He said he plans to visit Egypt, Jordan, Syria and Israel, probably in that order. []

X1 25X1 []
X1 [] he Senate Select Committee is a responsible group and as the Chairman put it is "on the same theme."

25X1 12. [] As the meeting adjourned, I again mentioned to Chairman Inouye the outstanding request we had from Senator James Abourezk (D., S. Dak.) to appear before his Administrative Practice and Procedure Subcommittee of the Senate Judiciary Committee to discuss CIA policy and procedures in the handling of requests for information under the the Freedom of Information Act which involves the exemption of information classified in the interest of national security (the B-1 exemption). I mentioned we would appreciate any assistance the Chairman could give us concerning this request. I noted I had tried to reach Senator Biden to discuss this matter with him since he is a member of the Subcommittee on Administrative Practice and Procedure, but had been unsuccessful in my efforts to reach him thus far. Chairman Inouye said that he would speak with Senator Abourezk and suggested that we invite the Senator out to CIA Headquarters for an in-depth briefing on this subject so that he would have a better understanding of the situation prior to the hearing next Friday.

25X1

GEORGE L. CARY
Legislative Counsel

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Original - Subj file

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25X1 OLC/GLC [] (12 Sept 77)

The Director

Central Intelligence Agency

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Washington, D.C. 20505

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Entrance Registry
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OLC 77-4313

17 OCT 1977

Honorable Daniel K. Inouye, Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

At the 16 September Senate Select Committee on Intelligence hearing on
[redacted] Senator Case asked Mr. Saunders, of the State Department,
and Mr. John McMahon, my Acting Deputy for the Intelligence Community, about CIA
[redacted] Mr. McMahon agreed to
inform the Committee of any such program. The question was not raised again at
the Committee's 19 September hearing, but I do want to provide a response for
the record.

Yours sincerely,

[redacted]

STANSFIELD TURNER

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25X1 OLC: (6 October 1977)

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